

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GOVERNMENT EMPLOYEES INSURANCE
COMPANY, GEICO INDEMNITY COMPANY,
GEICO GENERAL INSURANCE COMPANY and
GEICO CASUALTY COMPANY,

Docket No.: 1:20-cv-05786-PKC-SJB

Plaintiffs,

-against-

BIG APPLE MED EQUIPMENT, INC., DAVID
ABAYEV, ALEKSANDR MOSTOVOY, D.C.,
SURESH PAULUS, D.O., ASHLEY KIAEI, D.C.,
PETER MARGULIES, D.C., and JOHN DOE
DEFENDANTS 1-10,

Defendants.

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ORDER GRANTING PRELIMINARY INJUNCTION

Upon consideration of Plaintiffs Government Employees Insurance Company, GEICO Indemnity Company, GEICO General Insurance Company and GEICO Casualty Co. (collectively, “Plaintiffs”) motion to stay all pending collection arbitrations and enjoin the commencement of any new arbitrations or suits by or on behalf of Big Apple Med Equipment, Inc. (“Defendant Big Apple”), the Court being duly advised in the premises and good cause having been shown, the Court finds as follows:

1. Plaintiffs have shown they will suffer irreparable harm absent the Court ordering the requested injunction;
2. Plaintiffs have established a serious question going to the merits this action; and
3. The public interest weighs in favor of granting the requested injunction.

Therefore, IT IS HEREBY:

ORDERED that all arbitrations pending before the American Arbitration Association between any of the Plaintiffs and Defendant Big Apple seeking No-Fault insurance benefits are hereby **STAYED** until further order of this Court;

ORDERED that Defendant Big Apple is hereby **ENJOINED** from commencing any arbitration before the American Arbitration Association or lawsuit in the state courts of New York against GEICO seeking No-Fault insurance benefits until further order of this Court; and

ORDERED that the Defendant Big Apple is hereby **ENJOINED** from submitting to GEICO any claims for reimbursement of No-Fault insurance benefits to GEICO until further order of this Court.

S O O R D E R E D:

Pamela K. Chen, U.S. District Judge
Brooklyn, New York

_____, 2021